

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 0.26 ha of forest land in compartment No.39, 40 & 41 of Guthikonda RF, Vinukonda Range, Guntur Division for laying of Optical Fiber Cable along the road within the existing Right of Way (RoW) in favour of M/s Jio Digital Fiber Private Limited, Visakhapatnam - In-principle (Stage-I) approval - Accorded.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.1

Dated:10.01.2023
Read the following:-

- 1) GoI, MoEF&CC, New Delhi guidelines in Lr.F.No.5-2/2017-FC, 28.03.2019.
- 2) From the PCCF & HoFF, Lr.Rc.No.EFS02-15026/18/2019/FCA-SEC/PCCF/FCA-3, dt.13.12.2022.

ORDER:

In the letter 2nd read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has submitted a proposal under Section-2 of Forest (Conservation) Act, 1980, for diversion of 0.26 ha of forest land in compartment Nos.39, 40 & 41 of Guthikonda RF, Vinukonda Range, Guntur Division for laying Optical Fiber Cable along the road within the existing Right of Way (RoW) in favour of M/s Jio Digital Fiber Private Limited, Visakhapatnam and requested to accord approval in view of the guidelines issued by Government of India, Ministry of Environment, Forests & Climate Change, vide letter 1st read above under general approval category.

2. After careful examination of the proposal and in exercise of the powers delegated to State Government in the guidelines issued by Government of India, Ministry of Environment, Forests & Climate Change, in the letter 1st read above, Government hereby accord in-principle (Stage-I) approval under Section-2 of the Forest (Conservation) Act, 1980, for diversion of 0.26 ha of forest land in compartment Nos.39, 40 & 41 of Guthikonda RF, Vinukonda Range, Guntur Division for laying Optical Fiber Cable along the road within the existing Right of Way (RoW) in favour of M/s Jio Digital Fibre Private Limited, Visakhapatnam, subject to the following conditions:-

- i) Legal status of the diverted forest land shall remain unchanged.
- ii) Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at the appropriate distance as decided by the DFO concerned, at the cost of the User Agency.
- iii) The User Agency shall deposit cost towards plantation and maintenance of 100 number of trees. The State Forest Department shall carry out such plantation in the nearby degraded forest area and shall submit details like map, DGPS co-ordinates etc. along with the compliance report.
- iv) The State Forest Department shall charge the Net Present Value of the diverted forest land measuring **0.26 ha** from the User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995 and Ministry's guideline No.5-3/2011-FC(Vol-I) dated 06.01.2022 and clarification issued vide letter dated 22.03.2022.
- v) Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;

- vi) The User Agency shall submit RoFR Certificate before Stage-II approval.
- vii) The layout plan of the proposal shall not be changed without the prior approval of the State Government;
- viii) No labour camp shall be established on the forest land.
- ix) Disturbance shall be kept minimal by creating labour camps outside the forest area as far as possible and it will be the responsibility of the User Agency to ensure the machinery, labourers & staff engaged in execution of work shall not destruct nearby forest flora & fauna.
- x) Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- xi) No tree felling shall be carried out by the User Agency;**
- xii) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the State Government.
- xiii) The total forest area utilized for the project shall not exceed **0.26 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;
- xiv) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xv) User Agency and the State Forest Department shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
- xvi) Any other conditions that the Central Government or State Government may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;
- xvii) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the provisions in Ministry's guidelines.

3. After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years from the date of issue of this order. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

4. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,

Andhra Pradesh, Guntur.

Copy to:

The Inspector General of Forests (Central)
Government of India,
Ministry of Environment, Forests & Climate Change
Integrated Regional Office, Vijayawada,
Green House Complex, Gopal Reddy Road, Vijayawada-520010.

The Chief Executive Officer, (Ad-hoc CAMPA) and IGF (FC),
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhavan,
Aliganj, Jorbagh Road, New Delhi-110 003.

M/s Jio Digital Fibre Private Limited, Visakhapatnam
SF/SC

//FORWARDED :: BY ORDER//

S. Raju
SECTION OFFICER
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